

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PORTSIDE GROWTH AND OPPORTUNITY
FUND,

Plaintiff,

O R D E R

- against -

07 CV 6990 (NRB)

GIGABEAM CORPORATION,

Defendant.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

It having been reported to this Court that this case has been settled, it is

ORDERED that the above-captioned action be, and hereby is, dismissed without costs and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made within 45 days.

DATED: New York, New York
July 23, 2008



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE